

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

Upon entry of this amendment, claim 1, 3-20, and 22-23 will remain in the application.

Election/Restrictions

Applicant affirms the election made by Scott C. Harris on July 1, 2004 without traverse to prosecute the invention of FIG. 2, claims 1-5, 7-17, and 19-23

Specification

Applicant has amended the specification to correct minor errors.

Claim Objections

Applicant has amended claim 15 to obviate the objection to that claim.

Claim Rejections - 35 USC § 102

Claims 1-3, 5, 7, 9-14, 16, 17, and 19-23 were rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Toyooka et al. (U.S. Patent No. 4,778,672, hereinafter "Toyooka").

Applicant teaches a device for programming a memory device including memory cells made of a phase change material, such as a chalcogenide alloy, with asymmetric transition times between memory states. The device takes advantage of this asymmetry to provide a fast write mode in which only the faster phase transitions occur and a normal write mode in which areas of memory are overwritten and phase changes in the memory cells occur in both directions.

Toyooka specifically discloses a technique for shortening the cycle time for writing on optical discs "in which overwrite is not possible" (col. 8, lines 17-21).

Independent claims 1, 9, 13, 20, and 22 have been amended to recite that there are two write modes, a fast mode and a normal mode in which data in memory cells are overwritten. Toyooka does not disclose or suggest a device with two write modes, one in which data is overwritten. Accordingly, Applicant submits that independent claims 1, 9, 13, 20, and 22, and their dependencies, are allowable.

Claims Rejections - 35 USC § 103

Claims 4, 8, and 15 were rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Toyooka in view of Young et al. (U.S. Patent No. 4,719,594), Maeda et al. (U.S. Patent No. 5,317,549), and Kuroda et al. (U.S. Patent No. 5,818,807), respectively.

Claims 4, 8, and 15 depend directly or indirectly from one of independent claims 1 and 13. Accordingly, Applicant submits these claims are allowable for the reasons given above and for their additional limitations.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue, or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any

claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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